
 NORFOLK Department of Police	Administrative General Order - 410: Property and Evidence		
	Office of Preparation: Central Records Division		
	CALEA:	84.1.1 – 84.1.7	
LEGAL REVIEW DATE:	6-5-2017	PRESCRIBED DATE:	6/13/17
City Attorney:	Jack E. Clood	City Manager/Director of Public Safety:	Douglas L. Smith
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:			

Purpose:

The purpose of this general order is to provide procedures for the vouchering, safekeeping, temporary release, and disposal of in-custody property and evidence, except for prisoner property, bicycles, motor vehicles, and asset forfeitures.

Policy:

Departmental members shall ensure the safekeeping of property, maintain the proper chain of custody of evidence, and the release property to the rightful owner by adhering to all departmental procedures. Procedures on the handling of prisoner property, bicycles, motor vehicles, and asset forfeitures are contained in separate general orders.

Supersedes:

1. G.O. ADM-410, dated July 29, 2015
2. Any previously issued directive conflicting with this order
3. Memo 17-029: Submission of Shell Casings and Bullets to NIBIN

Order of Contents:

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I. Vouchering

- A. Vouchering is a process in which property and evidentiary items coming into the custody of departmental personnel are secured until final disposition. Only operations and law enforcement officers shall be permitted to voucher items. All property and evidence, with completed vouchers, will be ultimately stored in the Property and Evidence Unit (P&E) until properly disposed of. Property and Evidence staff members are responsible for the maintenance of departmental vouchering records and ensuring the status of these records reflect items held by the Department. **(CALEA 84.1.5)**
- B. All property and evidence items held in-custody by a member of the Department shall be vouchered and under the control of the property and evidence function before the officer ends his/her tour of duty. Items are considered to be in the control of the property and evidence function if the items are stored by the Property and Evidence Unit or secured in approved command designated lockers, safes, and rooms. **(CALEA 84.1.1a/b)**
1. Vouchered items will be delivered on a daily basis according to Property and Evidence Unit normal business hours.
 2. Exception: Evidence secured by the Vice and Narcotics Division may be held in command evidence lockers no longer than seven days prior to submission to Property and Evidence. Evidence secured by the Vice and Narcotics division in command lockers is to be removed and transported only by the investigator assigned to the case.
- C. The Department provides adequate time for officers to complete vouchers and/or submit items to the Property and Evidence Unit. Officers who are unable to complete a voucher before the end of their tour of duty will notify their immediate supervisor of the circumstances and give a description of the items to be vouchered.
1. The supervisor will determine what course of action is to be taken.
 - a. Evidentiary items may be stored in a command temporary storage area and vouchered on the officer's next working day. In extenuating circumstances, the commanding officer or designated supervisor may approve additional time.
 - b. Prisoner property must be vouchered before the end of the officer's tour of duty.
 2. Commanding officers or designated supervisors will ensure that items are vouchered and submitted to Property and Evidence Unit within the designated time limit.
- D. Personnel shall not store property or evidentiary items in personal desks, lockers, vehicles, homes, brief cases, or other places that are not secure or would interrupt the chain of custody. Personal use of property or evidence is prohibited.

II. Items Not to be Vouchered

A. Non-negotiable Papers

Evidentiary non-negotiable papers recovered and held by the Detective Division (i.e., canceled checks, credit card drafts, sales contracts, and other related documents) shall not be vouchered. These documents shall be kept in the appropriate case folder and secured within the Economic Crimes Office. However, counterfeit money will be placed on a voucher. See Section III.B.5 below.

B. Found Property (**CALEA 84.1.1 f/g**)

Officers shall not voucher found property that can be returned to the rightful owner, department, or agency.

1. Officers are to return items to the appropriate City department or State agency during regular business hours. City or State property received after hours will be turned in at the nearest patrol division. Patrol operations officers who transport property will ensure items are returned to the appropriate department or agency during the next working day.
2. Personal Property - Owner Determined
 - a. Officers shall attempt to return found personal property to the rightful owner, if the owner is located within City limits and/or can respond within a reasonable time. Property owners must sign a completed PD 933, Property and Evidence Tracking form before the officer can release items. The releasing officer shall scan a copy of PD 933 to create a date/time stamp and then email it to Property and Evidence. The original copy will then be mailed to the Property and Evidence Unit. When releasing property to the owner in this situation, a voucher will not be completed.
 - b. If the property cannot be released to the owner, the officer shall complete a voucher and submit items to the Property and Evidence Unit. The vouchering officer shall also complete and mail a PD 681, Release of Property letter to the owner and report the chain of events and actions taken in the Narrative section of the voucher.
3. Personal Property (of Value) - Owner Undetermined
 - a. Officers shall complete a voucher and submit items to the Property and Evidence Unit when property was found, but the owner is unknown.
 - b. Found property, except firearms, may be released to the finder after a period of sixty (60) days if the rightful owner does not claim the property. The finder is required to submit a letter to the OIC of the Property and Evidence Unit requesting release of such property.

- c. The OIC of Property and Evidence Unit may authorize the release of the items to the finder. The finder's letter noting the approval for release by the OIC of the Property and Evidence Unit shall remain on file.

C. Worthless Property

Abandoned or found property in which the owner is unknown, has no legitimate value, and may be broken, torn, or in a state of deterioration will not be vouchered.

1. Worthless property does not include:

- a. High risk items such as drugs, firearms, money, jewelry, and precious metals.
- b. Evidentiary, or recovered items: which may be identified by positive National Crime Information Center/Virginia Criminal Information Network (NCIC/VCIN) "hit", or associated with a reportable crime.
- c. Contraband: Items which are illegal to possess.
- d. Safekeeping Property: The owner is known, such as prisoner property, items discovered during vehicle inventory, or drugs and firearms in which the owner agrees to relinquish ownership.
- e. Public Safety Items: such as explosives, ammunition, flammables, and hazardous materials.

2. Worthless property found on:

- a. City Property: Officers will discard by disposing items in a proper waste receptacle or by ensuring items are removed from any roadway and notifying Waste Management through Norfolk Cares.
- b. State or Federal Property: Officers will ensure items are removed from any roadway and make notification to the appropriate agency.
- c. Private Property: The property owner is responsible for the disposal and shall be notified properly.

D. Hazardous Materials (HAZMAT)

Hazardous materials and waste will not be vouchered or stored in police facilities; items will be turned over to the following entity:

- 1. Fireworks – Fire Marshall
- 2. Explosives – Bomb Section
- 3. Household Hazardous Waste – Division of Waste Management
- 4. Hazardous Materials (HAZMAT) – Fire-Rescue

E. Perishable Property and Evidence

1. Property: Items that are perishable or food-related to include found and safekeeping items will not be vouchered, but will be properly disposed of. These items includes the following, whether or not open or sealed:
 - a. Food or food by-products
 - b. Water/Drinks/Alcohol
 - c. Condiments
 - d. Items deemed to be garbage - (kitchen/food waste or paper products)
2. Evidence: Items of this nature must be packaged in a vacuum-sealed wrap before being accepted into Property and Evidence. If subsequently checked out (court, etc.), it will again be re-inspected before check-in.

III. Voucher Instructions

The Department's Voucher Guideline Manual has been distributed to commands as a reference for all personnel regarding completion of vouchers and should be referred to as needed. An electronic version is available in the reference folder.

A. Recovered Property **(CALEA 84.1.1f/g)**

A reasonable attempt will be made to identify and return items classified as property to the owner.

1. All in-custody items having serial or owner applied numbers will be queried in NCIC by the recovering officer. Any "hit will require the officer to contact the Detective Division (investigator handling the case, if not available contact investigator in the same section; General Assignment if after hours).
 - a. In-City (Norfolk) Hit
 - (1) The investigator will instruct the officer what action to take, such as notifying Forensics for processing or vouchering the property and contact the Word Process if the item(s) are to be cleared from NCIC.
 - (2) The Word Process Clerk will clear the item(s) in NCIC and update the Incident Based Report (IBR) in the Records Management System (RMS). A printout/copy of all actions taken will be forwarded to the Detective Division.
 - b. Out-of-City Hit
 - (1) The investigator will bring a teletype message to Word Process Clerk.
 - (2) The Word Process Clerk will send the teletype and inform the investigator of the out-of-city response.

- (3) The investigator will inform the officer of the findings and what action to take, such as notifying Forensics for processing or vouchering the property.
- c. If NCIC/VCIN is out of service at the time of the initial check and/or the IBR indicates the item as being stolen, the officer will notify the Detective Division for further instructions. It will be the investigator's responsibility for clearing any NCIC entry and updating the IBR in the Records Management System.
 - d. If there is no indication of item(s) being stolen in NCIC or RMS, the item(s) will be either released to the owner or vouchered.
 - e. Officers/Investigators will note what actions were taken in the Narrative section of the voucher.
- 2. Virginia State Code, Section 19.2-270.1, Use of photographs as evidence in certain larceny and burglary prosecutions, authorizes the use of photographs in lieu of the physical item(s) for court presentation.
 - a. The appropriate investigator/officer will be contacted in cases that involve felony cases, before releasing items.
 - b. Officers shall use PD 004, Evidence Photograph, when returning stolen property to the rightful owner but need photographic evidence for the court case.
- 3. Releasing Property Before Submitting Items to the Property and Evidence Unit
 - a. If the owner can be located and the property released, officers will complete a PD 933, Property and Evidence Tracking form, requiring the owner to sign for the listed property. The completed PD 933 form will be emailed, creating a date/time stamp, and the original forwarded to the Property and Evidence Unit.
 - b. If the property cannot be released to the owner, the officer will complete a voucher and mail a completed PD 681, Release of Property letter (the envelope will be labeled with Property and Evidence Unit's address as the return address). A notation of mailing a PD 681 shall be noted in the Narrative section of the voucher and a copy of the letter attached to the voucher.
 - c. If the owner wishes to claim the vouchered property before the property is accepted by the Property and Evidence Unit, the owner will be required to provide identification and sign a completed PD 933, Property and Evidence Tracking form. Completed forms will be emailed, creating a date/time stamp, and the original forwarded to the Property and Evidence Unit. In addition, the releasing officer must sign PD 020/PD 020A, Voucher Logbook Form.

B. Separate vouchers will be completed for:

1. Items belonging to different owners/claimants or involved in different incidents.
2. Items classified as property and items classified as evidence.
3. Items considered to be high risk:
 - a. Money (Unless the money is inside a wallet or purse, then the money will be the first item listed on the voucher)
 - b. Firearms (1 firearm with any magazines and ammunition of the same caliber per voucher)
 - c. Narcotics/Paraphernalia
 - d. Precious Metals/Jewelry
 - e. Evidentiary Bicycles (1 bicycle per voucher)
4. "Buy" money used by investigators and suspect money will be vouchered separately even if related to the same person.
5. Counterfeit money:
 - a. Officers will itemize the counterfeit money by denomination.
 - b. Counterfeit money will also be itemized by serial number. Counterfeit money is the only money where the officer will list the serial number in the serial field on voucher. If several of the same bills have the same serial number, they may be listed as one item with a total quantity. Example: If eight (8), five dollar bills are recovered, and five of them have the same serial number then they would be listed as one item, quantity 5, then the remaining five dollar bills would be listed as another item based on their serial numbers.)
 - c. In the Narrative section of the voucher the officer will indicate a release to Secret Service and where the money was recovered from, and or, if an arrest was made.
 - d. Some exceptions can be made by Property and Evidence staff based on the quantity of bills being submitted in cases where the quantity is a large amount and notes are listed in the narrative.

C. Itemizing on Vouchers

1. Property items will be listed as one item on vouchers, except for money, wallet or purse, and prescription/over the counter drugs, in that order.
 - a. Each itemized article will be described (i.e., brown leather purse).
 - b. Personal items that are not itemized should be listed in the Narrative section (such as lipstick, hair brush, and mirror)
2. Evidentiary items shall be itemized on vouchers.

- D. Officers are required to provide the following in the Narrative section of the voucher prior to submission. **(CALEA 84.1.1c)**
1. A written report detailing the circumstances for taking the items into custody (officer's notes on who, what, when, where, and how).
 2. Whether NCIC checks were negative or positive.
 3. The Forensic Crime Scene (FCS) number, if known.
 4. Notification of Owner:
 - a. If property and owner is known, vouchering officer will note: *"Letter sent to owner/claimant"*.
 - b. If property and owner is unknown, vouchering officer will note: *"Owner is unknown"*.
 - c. If evidence, the vouchering officer will send the owner/claimant letter prior to final disposition.
- E. Erroneous/Incomplete Vouchers
1. The only personnel who are authorized to correct erroneous vouchers with incomplete data are Property and Evidence Unit staff members and civilian programmers assigned to the Technology Support Unit.
 2. Officers are to make every effort to correct erroneous vouchers. If the vouchering officer discovers an error(s) within the vouchering program, the officer shall not start a new voucher.
 3. If the vouchering session is during normal business hours, the officer shall contact Property and Evidence or Technology Support for assistance.
 4. If the vouchering session occurs after business hours, the officer will print the voucher, package the item(s), and utilize a command temporary storage locker. However, a note will be attached to the voucher to give notice of the problem. The vouchering officer's supervisor will have the vouchering officer correct the problem as soon as practical according to command approval.

IV. Packaging and Labeling **(CALEA 84.1.1d/e)**

- A. Vouchered items shall be packaged and labeled in a uniform manner. The method for packaging and labeling each item will be performed according to the guidelines contained the Department's Voucher Guideline Manual. In-custody items shall be properly packaged and labeled prior to submission to the Property and Evidence Unit for storage.
- B. Any officer taking a firearm into custody shall ensure the firearm is cleared by checking and removing any cartridges/rounds, magazines, and/or clips.
1. The vouchering officer shall conduct a second safety check to ensure the firearm has been cleared before packaging and label it "clear and safe", indicating the firearm is safe to handle/transport.

2. Any firearm that cannot be cleared, e.g., malfunctioning, shall be:
 - a. Transported to the Firearms Range by a law enforcement officer in order for the cartridges/rounds to be removed. If the Range is not open, the Range Master will be contacted, via the Central Desk. The Range Master will ensure an armorer will respond to the Range.
 - b. Submitted to the Crime Lab, if the loaded firearm was involved in a violent felony and needs laboratory examination, such as fingerprinting or DNA testing, in this case, the investigator will coordinate submission between the Property and Evidence Unit and the Crime Lab before transporting the firearm.
 3. Any firearm originally labeled as "unloaded" will be re-inspected to ensure the firearm has been cleared and label it "clear and safe" before submitting item to the Property and Evidence Unit.
 4. Firearms meeting the criteria for NIBIN testing will be checked into Property and Evidence Unit and immediately checked back out by the submitting officer for submission to the Crime Lab. The OIC of Property and Evidence Unit may grant an exception when the firearm was collected by a Forensics investigator.
- C. All vouchered money packages/envelopes shall be sealed. Property and Evidence staff will open all money packages/envelopes and verify the amount, except for evidentiary money that will be checked in and immediately back out during the same transaction for submission to the Crime Lab for examination.
- D. Property and Evidence staff shall not accept any packages containing wet items; all items must be dried.

V. Submission / NIBINS

- A. Officers shall ensure the chain of custody and security of items is maintained. Property and evidentiary items shall be taken to the Property and Evidence Unit or secured within approved command temporary storage areas. **(CALEA 84.1.2)**
1. The Detective Division, Vice and Narcotics Division, and Patrol Divisions are the only commands authorized to provide temporary, secured lockers, safes, and rooms to store property and evidence when items are not submitted directly to Property and Evidence. **(CALEA 84.1.3)**
 - a. These commands will designate, within their respective Standard Operating Procedures Manual, which officers/investigators who are authorized to remove and transport items from their temporary storage areas to the Property and Evidence Unit.
 - b. Each command will maintain a Voucher Logbook, using form PD 020. The Detective Division will use PD 020A. Voucher Logbooks will be kept in the command and available to officers.

- c. Officers using a temporary storage areas are required to make an entry on PD 020 for each completed voucher. This log is used to track items transported to and from the Property and Evidence Unit or being released to an owner.
 2. There may be instances when a supervisor deems extra security measures are needed for the handling of exceptional, valuable, or sensitive items of property. These items may be stored in the Property and Evidence Unit until the voucher can be completed. The Field Commander will determine if a Property and Evidence staff member will be called in after normal operating hours. **(CALEA 84.1.1e)**
- B. Property and Evidence Unit staff will verify the items to the corresponding voucher in the presence of the delivering officer/investigator. Accepted items will be stored in the appropriate room, shelf, or safe under the control of Property and Evidence. Only assigned Property and Evidence staff members will have access to these storage areas. All other departmental employees, maintenance personnel, or visitors having an official need to access these storage areas will be allowed entry only if entered into the Property and Evidence Logbook and escorted by a staff member at all times.
 1. All envelopes or packages containing items classified as property will be opened and verified.
 2. Sealed envelopes or packages containing evidence will not be opened for verification by Property and Evidence staff, except for money that does not need to be taken for laboratory examination. The vouchering officer's supervisor shall be responsible for verifying evidence.
 3. Errors in packaging, labeling, or the voucher shall cause the item(s) to be rejected by Property and Evidence staff and returned to the vouchering officer. (Errors in the IBR will not cause the unacceptance of items.)
 4. Property and Evidence staff rejecting the voucher/items shall notify the vouchering officer, who will correct the error(s) immediately upon notification/return to work.
- C. Only ballistic articles classified as evidence, taken into law enforcement custody pursuant to a criminal investigation, shall be submitted for National Integrated Ballistic Information Network (NIBIN) testing. Therefore, all ballistic articles recovered during a criminal investigation and abandoned/found ballistic firearms, shell casings, and bullets shall be sent to the State Forensic Laboratory (Crime Lab) for NIBIN testing. (No safekeeping ballistic articles shall be sent to the Crime Lab for NIBIN testing.)
 1. Abandoned/Found ballistic firearms shall be handled and classified as evidence. The voucher note field shall contain chain of evidence information. Officers shall document date, time, location, and circumstances surrounding the incident. An IBR is not required; the Detective Division shall be responsible for linking these vouchers to the

appropriate IBR when a firearm is determined to be involved in a reported crime.

2. The evidence technician/officer is responsible for completing the voucher and the Department of Forensic Science, Request for Laboratory Examination form. Note: Only law enforcement officers are authorized to clear a firearm.
3. A complete description of the firearm and accessories shall be noted in the appropriate sections of the voucher. The voucher shall note which of the ballistic articles shall be sent to the Crime Lab for NIBIN testing. (This is accomplished in the RMS Electronic Vouchering System by placing a check in the box next to "gun test", then select the test type "NIBIN" from the pick list on the evidence management screen. Spent casings, and bullets collected as evidence shall be placed on the voucher using property type code "firearm accessories".)
4. The vouchering officer shall list the Homicide Section (Sergeant) as the investigating officer when completing the Request for Laboratory Examination. Refer to the Attachment for an example of how to complete the Request for Laboratory Examination for NIBIN testing.
5. A photocopy of the voucher and the Request for Laboratory Examination shall be forwarded to the Homicide Section by the vouchering officer.

VI. Testing

- A. Officers/Investigators shall submit ballistic articles linked to a criminal investigation for DNA swabbing by the next business day. Upon completion, the articles shall be taken to the Property and Evidence Unit before submitting articles to the Crime Lab for testing.
- B. Operations officers who have been instructed on handling firearms are permitted to transport firearms to Property and Evidence Unit and the Crime Lab, providing the firearms are transported in an approved city vehicle and the officer travels directly to and from the Property and Evidence Unit and the Crime Lab.
- C. Expended bullets and spent/fired cartridge casings returned from the Crime Lab shall remain on a voucher for five (5) years. (Property type code NBN/NIBIN Lab Tested Casing shall be used when utilizing the RMS Electronic Vouchering System. Property type code is listed under firearm/weapon in the pick list.)

VII. Homicide Section

- A. All NIBIN cases shall be handled by the Detective Division, Homicide Section.

- B. Anyone receiving the DFS 70-005, Certificate of Analysis, findings from the NIBIN testing inadvertently shall immediately forward the report to the Homicide Section.
- C. The Homicide Section shall be responsible for the final disposition of all ballistic articles.

VIII. Temporary Release of Evidence (CALEA 83.3.2, 84.1.1g)

Evidentiary item(s) may be temporarily released from the Property and Evidence Unit for laboratory analysis, investigative, or testimonial purposes, when the following procedures have been completed.

- A. Officers may check evidence in/out of Property and Evidence Unit.
 - 1. Officers will be required to provide prior notice to Property and Evidence Unit for the temporary release of items by completing PD 933, Property and Evidence Tracking form, Section 1, if the items have already been accepted and stored in Property and Evidence.
 - a. A separate form will be used for each voucher number. Requesting officers will type or legibly print in ink all information and place their signature on the appropriate line. Officers will maintain a copy of this form for their record.
 - b. Officers will deliver the completed PD 933 by hand, email, or fax a minimum of 2 business days prior to the pickup date.
 - 2. The borrowing officer must sign for temporary release of evidence.
 - 3. Officers will notify the Property and Evidence Unit no later than 12 noon on the date requested if the item(s) are not needed. For example, evidentiary items are not needed for court due to continuance, guilty plea.
 - 4. PD 933 will be used to track all evidence that has been temporarily released. Property and Evidence staff will monitor PD 933s to ensure the timely return of temporarily released items. If items are not returned within a reasonable time according to Property and Evidence staff, Section III of PD 933, Voucher Tracer, will be sent via the respective commanding officer. Receiving officers will indicate the status of the item on the tracer letter and will return the form to the Property and Evidence Unit.
- B. Evidence Sent Directly to the Crime Lab

Under emergency circumstances, when evidence needs to be sent directly to the Crime Lab, prior to submission to the Property and Evidence Unit, the officer shall:

 - 1. Relay the reason(s) for the emergency submission and obtain their supervisor's and the Crime Lab's approval before transporting evidence to the Crime Lab.

2. Upon receiving approval, the officer/investigator will itemize the evidentiary item on a separate voucher before the item is transported to the Crime Lab. The vouchering officer will note the Crime Lab FS Lab Number in the Narrative section of the voucher.
 3. Personnel will refer to G.O. ADM-411: Laboratory Examinations, and the Department's Voucher Guideline Manual for guidelines for submitting evidentiary items for laboratory examinations.
- C. Evidence Not Returned to Property and Evidence Unit
- Temporarily released evidence that is held by court or ordered released to the owner by the judge, will be reported to Property and Evidence Unit.
1. Evidence Held by Court

Property and Evidence staff will provide a copy of PD 933 to the requesting officer. The officer will complete Section 2 of PD 933 by having the accepting clerk of the court sign, acknowledging receipt of evidence to be held by court. The completed form will be returned to the Property and Evidence Unit by the next business day.
 2. Evidence Ordered Released by the Judge

Officers can only release items to the owner in/after court when ordered to do so by the presiding judge. In this case, the officer shall request the owner to accompany them to the Property and Evidence Unit to sign the property voucher.

IX. Permanent Release of Property and Evidence (CALEA 84.1.1g)

- A. Property and evidence should be released when items are no longer needed, e.g., investigative or testimonial purposes. This will ensure property is returned to the rightful owner without any unnecessary delays and that final dispositions are conducted within six months after legal requirements have been satisfied. (CALEA 84.1.7)
- B. Prior to permanent release to any owner/claimant:
 1. The owner will be required to present proper identification.
 2. An individual other than the owner may pick up the items provided that the recipient has, in hand, proper identification and a letter certified by a notary public from the owner releasing the stated property to the named recipient, or presents legal documentation of power of attorney. A copy of the individual's ID and notarized letter or power of attorney will be attached to the voucher.
 3. The property voucher will show the items released, the date of release to the recipient, and the signature of the recipient.
- C. Officer Instructions
 1. Property items will be released to the rightful owner.

- a. Paper Vouchers – Officers may sign the voucher or submit a PD 933, Property and Evidence Tracking form, authorizing permanent release, to the Property and Evidence Unit.
 - b. Electronic Vouchers – No update is needed, unless voucher is on the Disposition List.
- 2. Evidence will be released or disposed if items are no longer needed for court purposes by the vouchering officer/investigator.
 - a. Paper Vouchers – Change classification to property by signing the voucher, or submitting PD 933, Property and Evidence Tracking form, authorizing permanent release, to the Property and Evidence Unit.
 - b. Electronic Vouchers – Items can be marked for release by updating the voucher via Q Update at any time; this process is mandatory if the voucher is located on the Disposition List. This process will be in accordance with procedures outlined in the Department's Voucher Guidelines Manual.

X. Dispositions

- A. The Department conducts dispositions in accordance with legal authority; City Code Sections 33-61 through -71, State Code Sections 15.2-1719 through 1721, 19.2-386.23 and .24, and 55-210.12, as well as Norfolk City Attorney opinions. Prior to the final disposition (destruction, auction, law enforcement use, or remittance to the State Treasurer) of any item, the following steps must be taken:
 - 1. Steps must be taken to ensure *due diligence* was taken in notifying the rightful owner(s) of their right to claim items prior to final disposition.
 - 2. The Commonwealth's Attorney's Office must provide written documentation the items are not needed for criminal prosecution.
 - 3. Prior to final disposition, public notice must be given by way of advertisement in the local newspaper.
 - 4. Items remaining unclaimed in excess of 60 days (120 days for firearms) after advertisement, can be disposed.
- B. If not forbidden by law, when evidence no longer serves a legitimate law enforcement purpose, the items must be returned to the rightful owner. Case officers are required to send a PD 681, Release of Property letter to the last known address. If the letter is undeliverable, further steps must be taken to ensure that due diligence was taken in an attempt to notify the owner. All attempts will be documented in the electronic vouchering system.
- C. Officers should not wait for the disposition list to be distributed to release items, instead, the disposition should occur when the item is no longer needed.
- D. To ensure timely release of items, the Department periodically requires officers to review their vouchers located on the current Disposition List. When instructed, officers are required to complete disposition lists within the required time.

- E. Immediate supervisors shall ensure officers complete dispositions as required.
- F. Prior to the sale/destruction of unclaimed items, the Chief of Police will advertise once a week for two successive weeks in the newspaper, any unclaimed items which may be reviewed on the Department's contracted auction company's website. Items of value which are left unclaimed and marked for disposal will be either auctioned by the Department's auction company or disposed of according to law.

XI. Departmental Use and Training (CALEA 84.1.4)

- A. Unclaimed property items stored in the Property and Evidence Unit may be placed in departmental use, providing the items are ready for disposal. The following items may be used for departmental training (explosive items are prohibited):
 - 1. Weapons
 - 2. Controlled Substances
 - 3. Explosive Training Items—obtained from other agencies.
- B. Requirements
 - 1. The command requesting item(s) from Property and Evidence for departmental use or training will submit a letter, describing the item(s) and the reason for the request, to the Chief of Police for approval.
 - 2. Upon receiving approval from the Chief of Police, the requesting command shall submit the letter to the Property and Evidence Unit for acquisition.
 - a. Firearms for Departmental Training Use
 - (1) Approval letter will be submitted to the OIC of the Property and Evidence Unit.
 - (2) Firearms for Departmental Training – Approval letter will be submitted to the Range Master. If the requested firearm is not in the Range's inventory, the Range Master will coordinate the request with the OIC of the Property and Evidence Unit. Firearms used for training purposes must be tracked on a PD 945, Firearms Inspections Record at the command of the requesting officer/investigator.
 - (3) Note: Vouchered property items, including firearms, must have been released for disposal and unclaimed for more than 60 days (120 days if a firearm; Virginia State Code, Section 15.2-1721, Disposal of unclaimed firearms or other weapons in possession of sheriff or police), then advertised in a local newspaper for two consecutive weeks and remain unclaimed before the item(s) can be released from its voucher. (Virginia State Code, Section 15.2-1719, Disposal of unclaimed property in possession of sheriff or police)

- b. Controlled Substances for Departmental Training Use
 - (1) Approval letter will be submitted to the OIC of the Property and Evidence Unit.
 - (2) Controlled Substance Training—Approval letter will be submitted to the Commanding Officer of Vice and Narcotics Division who will coordinate all training efforts. If the requested controlled substances are not in the Vice and Narcotics' inventory, the Commanding Officer will coordinate with the OIC of the Property and Evidence Unit to obtain the controlled substance for training use. Controlled substances used for training must be tracked by both Vice and Narcotics and Property and Evidence Unit.
 - (3) Note: Virginia State Code, Section 19.2-386.23, Disposal of seized controlled substances, marijuana, and paraphernalia, governs the use of items for departmental training.
- 3. Releasing Items from the Property and Evidence Unit
 - a. Controlled Substances, Marijuana, and Paraphernalia - A copy of the signed Court Order authorizing disposal will be attached to the voucher before releasing items to the Vice and Narcotics Division.
 - b. The Property and Evidence Unit will ensure the total amount shall not exceed 5 pounds for any specific controlled substances or imitation, and 25 pounds total for marijuana in the possession of the Department for training purposes at any given time.
 - c. Upon receiving the Chief of Police's approval letter, Property and Evidence Unit staff members will document the release of approved item(s) into the Property and Evidence Logbook, have the command representative sign the voucher, and give a copy of any Court Order.
- 4. Command Standard Operating Procedures will be implemented to track each use and document any loss or damage of item(s).
 - a. Property - Commands will conduct a documented annual inventory to account for property items released for departmental training use, and will report any discrepancies to the Chief of Police via the chain of command.
 - b. Firearms – Commands will conduct a monthly inventory by inspecting firearms released for departmental training by utilizing PD 945, Firearms Inspection Record, and sending the form to the Range Master. Commands possessing firearms for training purposes will ensure they are securely maintained.

- c. Controlled Substances for Departmental Training Use
 - (1) Any controlled substance received for the purpose of training narcotic drug dogs shall have the initial weight recorded and on file within the Vice and Narcotics Division for accountability purposes.
 - (2) The Commanding Officer of the Vice and Narcotics Division shall ensure a use report is completed after each training use for security and accountability purposes.
 - (3) A documented monthly inventory, including a description and weight of substance, and any training use reports shall be conducted and maintained by the Commanding Officer of the Vice and Narcotics Division for security and accountability purposes.
 - d. Any unused/unwanted items are to be returned to the Property and Evidence Unit; however, controlled substances (such as narcotics and marijuana) must be returned to the Property and Evidence Unit for disposal according to State Code timelines.
5. Property and Evidence staff members will be responsible for the proper disposal of items, by:
- a. Notifying the borrowing command of controlled substance disposal rules according to State Code timelines, and ensuring disposals are conducted accordingly.
 - b. Having the borrowing command representative who is returning item(s) to Property and Evidence Unit sign the voucher.
 - c. Entering the return of items in the Property and Evidence Logbook.
 - d. When disposing of returned items according to law officers/investigators will ensure the completion of a statement under oath reporting a description of the items, the time, place, and manner of destruction which shall be certified to the court.

XII. Inspections, Audits, and Inventory

In order to maintain integrity and accountability over agency controlled property and evidence, the following documented inspections, audits, and inventory shall be completed. All written reports will be submitted to the Chief of Police, via the chain of command.

A. Inspections

- 1. Quarterly Inspections **(CALEA 84.1.6a.)**
 - a. The Officer in Charge of Property and Evidence Unit, who is responsible for property and evidence control function, shall conduct documented quarterly inspections to determine adherence to procedures used for the control of property. The results of this

inspection will be forwarded to the Chief of Police via the chain of command.

- b. The Executive Officer of Property and Evidence Unit shall conduct the inspection and prepare necessary reports if the Officer in Charge of the Property and Evidence Unit is unable to perform his/her duties by reason of sickness, absence, or other cause.

2. Unannounced Inspections **(CALEA 84.1.6d.)**

- a. Documented unannounced inspections of property storage areas shall be conducted twice a year by a member of the Department who is not routinely or directly connected to property control or a key holder of the evidence rooms. The results of this inspection will be forwarded to the Chief of Police via the chain of command. See accreditation standards for specifics regarding inspections procedures.
- b. It is the responsibility of the Chief of Police to determine the scope and focus of the inspection.

B. Audits

1. Transitional Audit **(CALEA 84.1.6b)**

- a. The Property Officer is responsible for the daily operation of property and evidence system. Because of the responsibility of this position, an audit shall be conducted jointly by the newly assigned Property Officer and a member from Inspections, who is not routinely or directly connected to property control or a key holder of the evidence rooms, to ensure that records are properly annotated. The results of this inspection will be forwarded to the Chief of Police via the chain of command. See accreditation standards for specifics regarding audit procedures.
- b. These procedures do not prevent or limit the authority of the Chief of Police from ordering a full inventory.
- c. All discrepancies shall be recorded and corrected prior to the assumption of property accountability by the newly appointed custodian.

2. Annual Audit **(CALEA 84.1.6c)**

A documented annual audit of items held by Property and Evidence Unit will be conducted by a member of the Department who is not routinely or directly connected to property control, or a keyholder of the evidence rooms. The results of this inspection will be forwarded to the Chief of Police via the chain of command. See accreditation standards for specifics regarding audit procedures.

Definitions:

Evidence: Any article, acquired by a law enforcement officer pursuant to his/her duties, needed or is reasonably believed to be needed in a criminal prosecution. Articles, which will be designated as evidence, merely because of their nature, include stolen property, contraband, and/or implements used in committing a crime.

Property: Any article, acquired by a law enforcement officer pursuant to his duties, which does not fall into the category of evidence as defined above. These articles usually come into custody as found property, turned over for safe keeping or destruction.

Audit: The conducting of an official examination of an individual's or organization's processes.

Inspection: A checking or testing of an individual or organization against established standards.

Ballistic Articles: For the purposes of this order, evidentiary semi-automatic and pump action weapons, expended bullets, and spent/fired cartridge casings, including abandoned/found firearms.

Clearing a Firearm: The process of checking and removing any cartridges from a firearm to ensure that the firearm cannot shoot; making the firearm safe to handle and transport.

Related Documents:

1. G.O. ADM-480: Asset Forfeiture
2. G.O. OPR-230: Prisoner Booking
3. G.O. OPR-340: Towing
4. G.O. OPR-770: Bicycles

Attachments

- A. Example Norfolk Police Department, Property and Evidence Voucher
- B. Example Department of Forensic Science, Request for Laboratory Examination



2014-25227

PROPERTY AND EVIDENCE VOUCHER

Case No.



Agency Name <i>Norfolk Police Department</i>		ORI <i>VA VA1170000</i>	Date / Time Reported	Case No. <i>140409111101</i>
Owners Name (Last, First, Middle - DOB)		Address		Phone
Found in possession of		Address		Phone
Location from which property was obtained Address <i>1234 E MAIN ST, Norfolk, VA 23502-</i>			Collecting Officer <i>(16961) MOORE, CHESTER ARTHUR</i>	
No.	Property Control number	Description of articles (Include model, serial no., identifying marks, condition, etc.)		Property Value
1	25227-4456678	<i>GLOCK 9 MM SEMI-AUTO HANDGUN SERIAL #123456</i> <i>GLOCK, INC. GLOCK 17</i> Serial No.: <i>123456</i> Category: <i>EVIDENCE</i> IBR Status: <i>EVIDENCE</i> Quantity: <i>1</i>		<i>\$0.00</i>
2	25227-4456680	<i>(15) 9MM CARTRIDGES</i> Serial No.: Category: <i>EVIDENCE</i> IBR Status: <i>EVIDENCE</i> Quantity: <i>15</i>		<i>\$0.00</i>
3	25227-4456681	<i>HOLSTER</i> Serial No.: Category: <i>EVIDENCE</i> IBR Status: <i>EVIDENCE</i> Quantity: <i>1</i>		<i>\$0.00</i>
<p>Narrative</p> <p>EXAMPLE: On 4/9/14 at 1200 hours, these items were turned over to Officer J.D. Scott at 1234 Main Street by Beverly Jones. Ms. Jones stated she found the gun next to her residence on 4/9/14 at approximately 1100 hours. (Note: If Forensics collected the item, put the FCS # on the narrative.) Item #1 was checked and is negative stolen NCIC/VCIN. (VOUCHERED AS EVIDENCE FOR NIBINS PURPOSES)</p> <p>***** EXAMPLE VOUCHER *****</p>				
Officer's Name <i>(16961) MOORE, CHESTER ARTHUR</i>		Supervisor Name		Case Status
Officer's Signature		Submitted Date	Case Disposition	

**Virginia Department of Forensic Science
Request for Laboratory Examination**

Gray Areas are for DFS Use Only

Investigating Officer(s): Homicide Section (Sergeant)
Email:

Telephone #: (757) 664-7023
Agency and Address:
Norfolk Police Dept-Homicide
3661 E Va Beach Blvd
Norfolk, VA 23502

Agency Case Number:

FS Lab #:

Sub #:

***** EXAMPLE LAB REQUEST *****

Previous Submission? If yes, previous FS Lab #:

Names of Victims (Last, First, Middle):
LIST VICTIMS NAME, DOB, RACE AND SEX

DOB:

Race/Sex:

Names of Suspects (Last, First, Middle):
LIST SUSPECT(S) NAME IF APPLICABLE

DOB:

Race/Sex:

Date/Type of Offense:
PUT DATE AND TIME OF OFFENSE IF APPLICABLE
(IF NO OFFENSE APPLIES PUT
FOUND/ABANDONED)

Court Date: IF APPLICABLE

☐ District ☐ Circuit ☐ Juvenile ☐ Federal

Brief Statement of Fact (continue on separate page if necessary):
STATE BRIEFLY HOW, WHERE AND WHEN EVIDENCE WAS
RECOVERED

Jurisdiction of Offense: Norfolk

Specify manner of return of evidence: ☐ Mail ☒ Personal Pick-up

Container	Evidence Submitted: Itemize and Describe Evidence and Designate Requested Examination (IF ONLY A WEAPON, USE FORMAT BELOW)
	1) 9mm Smith & Wesson handgun. Voucher #25227-4456678. Item 1 2) Magazine. Voucher #25227-4456679. Item 2 3) Ten 9mm cartridges. Voucher #25227-4456680. Item 3 **NIBINS**
	(IF ONLY CARTRIDGE CASES, USE FORMAT BELOW) 1) FC 9mm Luger cartridge case. Voucher #25227-4456681. Item 1 2) PMC 9mm Luger cartridge case. Voucher #25227-4456682. Item 2 **NIBINS**

This evidence is being submitted in connection with a criminal investigation and has not been examined by another laboratory. Tests performed utilize methods which are available on the Department website.

Submitting Officer (print): (Name of person submitting to lab)	Relinquished by (print):
Sign: Date:	Sign: Date:
Received by (print):	Received by (print):
Sign: Date:	Sign: Date: